



## Senate

General Assembly

**File No. 384**

February Session, 2002

Substitute Senate Bill No. 428

*Senate, April 9, 2002*

The Committee on Finance, Revenue and Bonding reported through SEN. LOONEY of the 11th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING MINOR REVISIONS TO THE ENVIRONMENTAL PROTECTION STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1      Section 1. (NEW) (*Effective July 1, 2002*) The Commissioner of  
2      Environmental Protection shall have the authority to establish and  
3      collect fees for parking, admission and other uses for a period of not  
4      more than one year after the effective date of this section for properties  
5      or facilities acquired by the Department of Environmental Protection  
6      on or after July 1, 2001, that are designated as a state park, forest or  
7      recreational facility. The department shall adopt regulations, in  
8      accordance with chapter 54 of the general statutes, to establish fees and  
9      collection practices at such properties or facilities.

10      Sec. 2. Section 26-30 of the general statutes is repealed and the  
11      following is substituted in lieu thereof (*Effective July 1, 2002*):

12      (a) Resident licenses to firearms hunt, archery hunt, trap or fish, or

13 the combination thereof, shall be issued only to qualified applicants  
14 therefor by the Commissioner of Environmental Protection, the town  
15 clerk of any town, an agent of such town clerk deputized pursuant to  
16 subsection (f) of this section or an agent of the [Commissioner of  
17 Environmental Protection] commissioner licensed pursuant to  
18 subsection (g) of this section. Such licenses shall be issued in such form  
19 as the commissioner shall prescribe.

20 (b) Nonresident licenses shall be issued by the commissioner, any  
21 town clerk, an agent of such town clerk or an agent of the  
22 commissioner, except that nonresident trapping licenses shall be  
23 issued by the commissioner.

24 (c) Applications shall be made on forms furnished by the  
25 commissioner, containing such information as the commissioner may  
26 require, and any such application forms shall have printed thereon, "I  
27 declare under the penalties of false statement that the statements  
28 herein made by me are true and correct." Any person who makes any  
29 material false statement on such application form shall be guilty of  
30 false statement and shall be subject to the penalties provided for false  
31 statement, and said offense shall be deemed to have been committed in  
32 the town in which such application is presented or received for  
33 processing.

34 (d) No application shall contain any material false statement.

35 (e) The commissioner, town clerk, an agent of such town clerk or an  
36 agent of the commissioner shall, upon receipt of such application,  
37 correctly filled out and accompanied by the required fee, issue to such  
38 applicant the appropriate license. If such application is by mail, the  
39 town clerk shall mail such license to such applicant within five days  
40 from the receipt of the application and proper fee.

41 (f) The town clerk of any town may deputize agents in such town to  
42 issue firearms hunting, archery hunting, trapping and fishing licenses,  
43 or the combination thereof, provided he shall be solely responsible for  
44 compliance with the provisions of the statutes relating to the duties of

45 the town clerk in connection with such licenses and the moneys  
46 received therefor.

47 (g) The [Commissioner of Environmental Protection] commissioner  
48 may, upon application by persons on forms furnished by the  
49 commissioner and containing such information as the commissioner  
50 may require, license such persons as agents for the issuance of firearms  
51 hunting, archery hunting, trapping and fishing licenses, or the  
52 combination thereof. Upon the request of any agent licensed by the  
53 commissioner, the town clerk of the town in which such agent  
54 conducts business shall sell license forms to such agent at the regular  
55 license cost minus twenty-five cents for such agent's fee. Not later than  
56 the first Monday of each month, such agent shall remit to the town  
57 clerk from whom the license forms were purchased any license forms  
58 voided by such agent and two copies of all licenses sold by such agent  
59 during the preceding month. Upon the request of an agent, the town  
60 clerk shall reimburse such agent for any unused or voided license  
61 forms remitted to such town clerk.

62 Sec. 3. Section 26-48a of the general statutes is repealed and the  
63 following is substituted in lieu thereof (*Effective July 1, 2002*):

64 (a) The [commissioner] Commissioner of Environmental Protection  
65 may establish, by regulations adopted in accordance with the  
66 provisions of chapter 54, standards for the management of salmon,  
67 migratory game birds in accordance with section 26-92, pheasant and  
68 turkey which shall include provision for the issuance of permits, tags  
69 or stamps. The commissioner may charge a fee for a permit, tag or  
70 stamp as follows: Not more than ten dollars for turkey; not more than  
71 two dollars for migratory game birds; not more than ten dollars for  
72 pheasant and not more than twenty dollars for salmon. No person  
73 shall be issued a permit, tag or stamp for migratory birds, pheasant or  
74 turkey without first obtaining a license to hunt and no person shall be  
75 issued a permit, tag or stamp for salmon without first obtaining a  
76 license to fish. Notwithstanding any provision of any regulation to the  
77 contrary, the commissioner may charge a fee of ten dollars for the

78 issuance of a permit to hunt wild turkey on state-owned or private  
79 land during the fall season.

80 (b) Such permits, tags or stamps shall be issued to qualified  
81 applicants by the commissioner or any town clerk. Application for  
82 such permits, tags or stamps shall be on such form and require of the  
83 applicant such information as the commissioner may prescribe. The  
84 commissioner may adopt regulations in accordance with the  
85 provisions of chapter 54 authorizing a town clerk to retain part of any  
86 fee paid for a permit, tag or stamp issued by such town clerk pursuant  
87 to this section, provided the amount retained shall not be less than fifty  
88 cents.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>

**ENV**      *Joint Favorable Subst. C/R*

FIN

**FIN**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

<b>Fund-Type</b>	<b>Agency Affected</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
Environmnetal Conservation Fund - Revenue Gain	Department of Environmental Protection	Minimal	Minimal

**Municipal Impact:** None

**Explanation**

Allowing the Commissioner of the Department of Environmental Protection (DEP) to establish and collect fes for parking, admission, and other uses for 1 year starting July 2, 2002 for properties or facilities acquired by the DEP on or after July 1, 2001 is anticipated to potentially minimally increase revenue to the Environmental Conservation Fund. These fees are typically established through regulation. This legislation would enable the DEP to charge a fee if such a property were to be acquired, so any potential revenue would not be lost for a recreation season before the regulations could be adopted. The acquisition of such property is speculative at the current time.

The bill also clarifys that the Commissioner of the Department of Environmental Protection can issue hunting, trapping, fishing, archery, or combination licenses, permits, tags and stamps for salmon and migratory game birds and pheasant. The DEP currently issues these permits, tags and stamps. No fiscal impact is anticipated.

**OLR Bill Analysis**

sSB 428

**AN ACT CONCERNING MINOR REVISIONS TO THE ENVIRONMENTAL PROTECTION STATUTES****SUMMARY:**

This bill authorizes the environmental protection department to establish and collect fees for up to one year, at sites it acquires after July 1, 2002, that are designated as state parks, forests, or recreational facilities. It requires the department to adopt regulations to establish fees and collection practices for the above properties or facilities according to the Uniform Administrative Procedure Act.

The bill authorizes the environmental protection commissioner to sell licenses and issue permits, tags, and stamps directly to sportsmen for hunting, fishing, and to assist in the management of certain species, including (1) permits to take wildlife damaging crops, (2) stamps required for hunting protected migratory birds, and (3) tags for hunting in wildlife management study areas. Under current law, only an agent of the commissioner or a town clerk may sell or issue these items.

EFFECTIVE DATE: July 1, 2002

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute Change of Reference

Yea 28      Nay 0

Finance, Revenue and Bonding Committee

Joint Favorable Substitute

Yea 43      Nay 0